

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH DAKOTA
NORTHERN DIVISION

UNITED STATES OF AMERICA, Plaintiff, vs. KIMO JOHN LITTLE BIRD, SR., Defendant.	CR 20-10012 UNOPPOSED MOTION TO CONTINUE TRIAL, SUPPRESSION MOTION, VOLUNTARINESS MOTION, AND ALL RELATED PRETRIAL DEADLINES
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Comes now Kimo John Little Bird, Sr., through his attorney, Senior Litigator for the Federal Public Defender Jana Miner, and moves the Court for its Order extending the trial setting of June 8, 2021, by at least 60 days, and the suppression motion, voluntariness motion, and all related pretrial deadlines.

As grounds, Defendant states:

1. Defendant made his initial appearance and was arraigned on April 13, 2021, on an Indictment, charging the Defendant with one count of Aggravated Sexual Abuse of a Child and one count of Felony Sex offense Against a Minor While Required to Register as a Sex Offender, in violation of 18 U.S.C. §§ 1153, 2241(c), 2246(2), and 2260A.
2. The Court entered its Scheduling and Case Management Order, setting the jury trial for June 8, 2021.
3. Defense counsel needs additional time to properly investigate this matter and prepare for trial. The allegations in the Indictment stem from an alleged offense occurring in 2016. Defense counsel needs additional time to locate witnesses and complete the

investigation. Additionally, this is a complex case with a 30 year mandatory minimum.

4. Defense counsel has advised Defendant of this motion, its purpose, and constitutional and statutory right to a speedy trial, under 18 U.S.C. § 3161 *et seq.* Consent to the continuance has been signed by Defendant.
5. Defendant is detained.
6. The Government through AUSA Jay P. Miller does not oppose a continuance.
7. The undersigned, further, represents to the Court this motion is made neither for undue delay nor other improper reason. Counsel makes this request for the Defendant to have the reasonable time for effective preparation, taking into account the exercise of due diligence.

WHEREFORE, Defendant Kimo John Little Bird, Sr., requests that the Court continue the trial setting to a time at least 60 days past June 8, 2021, and that the suppression motion, voluntariness motion, and all related pretrial deadlines be continued.

Dated this 14th day of May, 2021.

Respectfully submitted,

JASON J. TUPMAN
Federal Public Defender
By:
/s/ Jana Miner

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